

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., et al.,)	CASE NO. 2:10-cv-106-LRH-PAL
)	
Plaintiff(s),)	MINUTES OF COURT
)	
vs.)	DATE: Monday, September 28, 2015
)	
RIMINI STREET, INC., et al.,)	
)	
Defendant(s).)	
_____)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson
Counsel for Plaintiff: William Isaacson, Esq., Karen L. Dunn, Esq., Kieran P. Ringgenberg, Esq., Thomas S. Hixson, Esq., James C. Maroulis, Esq., Richard J. Pocker, Esq., Nitin Jadal, Esq., John Polito, Esq., Dorian Daley, Esq..
Counsel for Defendant: B. Trent Webb, Esq., West Allen, Esq., Robert H. Reckers, Esq., Peter E. Strand, Esq.

MINUTES OF JURY TRIAL DAY 11

12:40 p.m. Court convenes outside the presence of the jury. Counsel and parties are present.

Mr. Ringgenberg presents argument in support of plaintiff's Motion to Exclude Deposition Testimony of Paul Simmons and the Testimony, in part, of Brooks Hilliard, [#825]. Mr. Reckers responds on behalf of the defendants. The Court admonishes the parties regarding CedarCrestone, Inc. and TomorrowNow. IT IS ORDERED that plaintiff's motion [#825] stands submitted.

1:00 p.m. Court stands at recess.

1:09 p.m. Court reconvenes. The jury, counsel, and parties are present.

James Bengé is called on behalf of defendants, is sworn and testifies on direct examination by Mr. Reckers.

PTX286 is offered; no objection to the redacted version; PTX286 as redacted is admitted.
PTX62 is offered; no objection; PTX62 is admitted.

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Cross examination by Ms. Dunn.

Excerpts of James Benge's video deposition are played in open court.

2:49 p.m. The jury is admonished and excused. Court stands at recess.

3:11 p.m. Court reconvenes. The jury, counsel, and parties are present.

James Benge resumes the witness stand and continues testimony on cross examination by Ms. Dunn.

PTX645 is offered; no objection; PTX645 is admitted.

PTX5516 is marked and offered; no objection; PTX5516 is admitted.

PTX478 is pre-admitted and published to the jury.

PTX18 is pre-admitted and published to the jury.

Re-direct examination by Mr. Reckers.

DTX3017 is offered; objection; DTX3017 is NOT ADMITTED.

Re-cross examination by Ms. Dunn. Witness is excused.

Mr. Reckers notifies the Court that defendants will play excerpts of Charles Phillips' video deposition dated December 9, 2011. Mr. Reckers moves for admission of defendant's exhibits DTX303 and DTX336; no objection; DTX303 and DTX336 are admitted.

Excerpts of Charles Phillips' video deposition dated December 9, 2011, is played in open court.

Mr. Reckers notifies the Court that defendants will play excerpts of Cort Swanson's video deposition dated November 28, 2011. Mr. Reckers moves for the admission of plaintiff's exhibit PTX532; no objection; PTX532 is admitted.

IT IS ORDERED trial is continued to Tuesday, September 29, 2015, at 8:00 a.m. in Las Vegas Courtroom 4B before Judge Larry R. Hicks.

5:06 p.m. The jury is admonished and excused.

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Court remains in session outside the presence of the jury. Mr. Isaacson informs the Court that he just received defendant's 42 page Rule 50 brief and requests to file responses by Wednesday, September 30, 2015, at 8:00 a.m. The Court approves Mr. Isaacson's request.

The Court requests that the parties submit proposed verdict forms at their earliest convenience. The Court and counsel confer regarding the remaining schedule of the trial.

5:11 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ D. Negrete
Deputy Clerk